

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
JANUARY 10, 2005

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Ricky Jackson
INVOCATION	Reverend Ricky Jackson

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

FORD ADOPTED	December 20, 2004
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C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

KIRK APPROVED	1. <u>ORDINANCE – FIRST READING</u> – An Ordinance to adopt Supplement No. 26 to the Code of Shelby County, Tennessee.
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Zoning and Subdivisions

MOSS ADOPTED (A-C)	2. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.
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Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	3. Resolution approving the sale of twenty-five delinquent tax parcels from Tax Sale(s) 12, 32, 82.1, 82.2, 83.1, 85.1, 89.5, 93.2, 94.3, 94.5, 95.2, 96.1, 97.2, 97.3, 97.4, 98.2 and 99.5 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.
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LILLARD (WITHDRAWN)	4.	Resolution authorizing the Mayor to enter into a contract with South Memphis Fence Company for Mike Rose Soccer Complex Parking perimeter fencing, appropriating funds in the amount of \$24,424.00, appropriating \$2,442.40 for extra work allowance from the FY 2004/2005 Budget for CIP Project Number 101109, Soccerplex, and amending the FY 2004/2005 Budget.
LILLARD ADOPTED	5.	Resolution authorizing the Mayor to enter into a contract with Omega General Contractors, Inc., for the renovations to Building “N”, at the Shelby County East Complex, appropriating funds in the amount of \$1,351,453.00, appropriating \$67,573.00 for extra work allowance from the FY 2005/2005 Budget for CIP Project Number #101702, Juvenile Court, and amending the FY 2004/2005 Budget.
LILLARD ADOPTED	6.	Resolution authorizing the Mayor to enter into a contract with Chris-Hill Construction Company, LLC, to provide the county with the design and construction of repairs to the Houston Levee Road bridge over Mary’s Creek, appropriating funds in the amount of \$188,756.00 and an appropriation of up to \$18,875.60 for contingency from the FY 2004/2005 Budget.
KIRK ADOPTED	7.	Resolution approving a grant from Methodist Healthcare Foundation to the Memphis and Shelby County Health Department in the amount of \$157,238.00 for the purpose of providing services for HIV clients for the period September 1, 2004 – August 31, 2007 and to amend the FY 2004/2005 Operating Budget.
KIRK ADOPTED	8.	Resolution to approve a subcontract amendment between the Health Department and Memphis Health Center, Inc., to operate the Special Supplemental Food Program for Women, Infants and Children (WIC) for the period October 1, 2004 through September 30, 2005, in the amount of \$86,700.00.
THOMPSON ADOPTED	9.	Resolution to authorize the office of the District Attorney General to accept \$50,000.00 in the Detering Violent Gun Crime Program from the Assisi Foundation of Memphis, Inc. and to amend the FY 2004/2005 Shelby County Budget.
KIRK ADOPTED	10.	Resolution to approve Amendment #1 to the Shelby County Community Services Agency Weatherization Assistance Program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2005 Operating Budget.
FORD ADOPTED	CONSENT AGENDA	

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

**MOSS
(DEFERRED
TO 04/25/05)**

11. **ORDINANCE – (ZTA 03-002 CC) THIRD READING –**
A Joint Ordinance amending the Memphis and Shelby County Zoning Ordinance adopted by the Shelby County Board of Commissioners on October 6, 1980, and the Council of the City of Memphis on October 7, 1980; being Joint Ordinance No. 3064, as amended, by amending Section 29 - Signs
- Subsection III – Definitions;
Subsection IV – Classification of signs;
Subsection V – Signs prohibited;
Subsection VI – General standards;
Subsection VII – Permanent on-premise sign regulations;
And by creating a new Subsection XII – Violations,
And a new Subsection XIII – Enforcement and Penalties;
amending Section 30 – Nonconformities; Subsection E – Nonconforming on-premise and off-premise signs; providing for severability; providing for repeal of conflicting ordinance requirements; and providing an effective date.

**KIRK
ADOPTED
AS AMENDED**

12. **ORDINANCE – THIRD READING -- An Ordinance**
amending Section 12-38[c] of the Shelby County Code formerly Section 19 of Chapter 110 of the Private Acts of 1971 in order to add language establishing a time limit and other conditions for eligibility for the Civil Service Classified Fallback Position in employment with Shelby County Government.

Zoning and Subdivisions

**MOSS
(DEFERRED
TO 01/24/05)**

13. **CASE NO. P.D. 04-363 CC**
APPLICANT: Latting Road Partners, LLC
- LOCATION:** South side of Latting Road; +276.45 feet east of Pisgah Road
- REQUEST:** A planned development to permit 71 single family detached lots with a minimum lot size of 9,700 square feet within the plan
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS
- Memphis and Shelby county Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, December 10, 2004.)

Reports and/or Resolutions for Standing Committees

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| KIRK
(DEFERRED
TO 01/24/05) | 14. Resolution to approve Shelby County Derivative Guidelines and Policy as of December 2004. |
| THOMPSON
(DEFERRED
TO 02/14/05) | 15. Resolution approving contract with the Wackenhut Corporation in the amount not to exceed \$295,730.00 for the provision of security services for all entrances to the Shelby County Division of Corrections Main Compound. |
| THOMPSON
(DEFERRED
TO 01/24/05) | 16. Resolution approving an increase in the FY 2004/2005 Budget of the Emergency Management Agency in the amount of \$428,125.00 for three (3) additional emergency response ambulances; approving amendment to the contract with Rural Metro Mid-South, LP and authorizing the mayor or his designee to negotiate an amendment to the Intergovernmental Agreement. |
| KIRK
ADOPTED | 17. Resolution to amend Shelby County Retirement System Plan B to adjust for cost of living increases the outside income a Disability Retiree may earn without pension offset. |
| KIRK
ADOPTED | 18. Resolution to amend Shelby County Retirement System Plan A to add an oversight provision authorizing a certain participant whose application for insured disability benefits was denied as a result of an unintended gap in the disability contract with the Standard Insurance Company to apply for and, if eligible, be granted a Disability Pension. |
| BOLTON
(DROPPED) | 19. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to authorize Shelby County to assess an <i>Impact Fee on development</i> in order to provide that development contribute its fair share of the cost of providing and maintaining public facilities and services made necessary by such development.” |
| BOLTON
(WITHDRAWN) | 20. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to amend Tennessee Code Annotated Title 7, Chapter 53, Section 101, relative to <i>Industrial Development Corporations</i>.” |

**BOLTON
ADOPTED**

21. Resolution requesting the Shelby County Legislative Delegation to support legislation to make Tennessee, Memphis and Shelby County competitive in attracting and nurturing the film and video industries.

**BOLTON
(DEFERRED
TO 02/14/05)**

22. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to authorize Shelby County to levy and collect a Privilege Tax on development in order to provide that development contribute its fair share of the cost of providing and maintaining public facilities and services made necessary by such development."

**BOLTON
ADOPTED**

23. Resolution requesting the Shelby County Legislative Delegation to support a request for a state appropriation for the Shelby County Drug Court.

Announcements/Statements

24. Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution approving the county mayor's nomination of Kenneth W. Plunk and William L. Taylor for appointment to the Shelby County *Agricenter Commission*.
 - b. Resolution approving the county mayor's nomination of Henry H. Hancock for reappointment to the Memphis and Shelby County *Port Commission*.
 - c. Resolution approving the county mayor's nomination of Jerold L. Klein, Tommie (Elmyra) Pardue, Dr. Richard R. Ranta, Mary Unobsky, and Annabel Woodall for reappointment, and Paul Chandler and Isaac J. Singleton for appointment to the Memphis and Shelby County *Film Commission*.

Adjournment

**LILLARD
ADOPTED**

25. Resolution of Adjournment to January 24, 2005, at 1:30 p.m.

AGENDA #
JANUARY 10, 2005

2A

SUBDIVISION: GLEN LAKES PD, PHASE 2 (P.D. 01-320 CC)

DEVELOPER: MARK MATTHEWS DEVELOPMENT, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO GLEN LAKES PD, PHASE 2 (P.D. 01-320 CC)

LOCATION: EAST SIDE OF HOUSTON LEVEE ROAD; +/- 2,500 FEET NORTH OF MACON ROAD

2B

SUBDIVISION: STONE SHADOWS P.D. (P.D. 04-308 CC)

DEVELOPER: LOYAL FEATHERSTONE

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONE SHADOWS P.D. (P.D. 04-308 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF HOLMES ROAD; +721.17 FEET WEST OF GERTRUDE DRIVE

2C

SUBDIVISION: STONE SHADOWS P.D., EAST (P.D. 04-348 CC)

DEVELOPER: LOYAL FEATHERSTONE

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONE SHADOWS P.D., EAST (P.D. 04-348 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF HOLMES ROAD; +483.14 FEET WEST OF GERTRUDE STREET

For questions regarding the Agenda,
please call Steve Summerall at 545-4301.]